

## **Remarks**

In the present response, claims 1- 3, 7-13, and 17-20 are presented for examination.

### **Claim Rejections: 35 USC § 102(e)**

Claims 1-5 and 11-15 are rejected under 35 U.S.C. §102(e) as being anticipated by US publication number 2001/0054064 (Kannan). Applicant respectfully traverses.

A proper rejection of a claim under 35 U.S.C. §102 requires that a single prior art reference disclose each element of the claim. See MPEP § 2131, also, *W.L. Gore & Assoc., Inc. v. Garlock, Inc.*, 721 F.2d 1540, 220 U.S.P.Q. 303, 313 (Fed. Cir. 1983). Since Kannan neither teaches nor suggests each element in the rejected claims, these claims are allowable over Kannan.

Independent claims 1 and 11 recite that the requesting system includes a support proxy for receiving from the interaction service a response to the request for assistance. This response includes an operational module that obtains information about the requesting system of the user and transmits the information back to the collaboration server. Nowhere does Kannan teach or suggest these elements.

For a prior art reference to anticipate under section 102, every element of the claimed invention must be identically shown in a single reference (see *In re Bond*, 910 F.2d 831, 15 U.S.P.Q.2d 1566 (Fed. Cir. 1990)). For at least these reasons, the claims are allowable over Kannan.

### **Claim Rejections: 35 USC § 103(a)**

Claims 6-10 and 16-20 are rejected under 35 U.S.C. §103(a) as being unpatentable over Kannan. Applicant respectfully traverses.

With regard to claims 6, 7, 16, and 17, the Examiner admits that Kannan “does not disclose sending a signed module from the support representative to the requestor” (see OA mailed 10/29/07 at p. 4). Applicants agree with this admission. The Examiner, however, attempts to cure this deficiency with official notice and states that it is well known for support representatives to send modules to customers. Applicant respectfully traverses.

Per MPEP § 2144.03, Applicant challenges the factual assertion as not properly officially noticed or not properly based upon common knowledge. As such, Applicant asks the Examiner to provide adequate **documentary evidence**.

Applicant contends that the noticed fact (i.e., sending a signed module from the support representative to the requestor) is not considered common knowledge or well-known in the art taken in context of the independent claims.

In light of Applicant's traversal, Applicant respectfully asks the Examiner to produce authority (in the form of documentary evidence) for the alleged notice.

With regard to claims 8-10 and 18-20, the Examiner takes official noticed that it is well known to sign and validate software sent over the internet. Applicant respectfully traverses.

Per MPEP § 2144.03, Applicant challenges the factual assertion as not properly officially noticed or not properly based upon common knowledge. As such, Applicant asks the Examiner to provide adequate **documentary evidence**.

Applicant contends that the noticed fact (i.e., signing and validating software sent over the internet) is not considered common knowledge or well-known in the art taken in context of the independent claims.

In light of Applicant's traversal, Applicant respectfully asks the Examiner to produce authority (in the form of documentary evidence) for the alleged notice.

## **CONCLUSION**

In view of the above, Applicant believes all pending claims are in condition for allowance. Allowance of these claims is respectfully requested.

Any inquiry regarding this Amendment and Response should be directed to Philip S. Lyren at Telephone No. 832-236-5529. In addition, all correspondence should continue to be directed to the following address:

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Respectfully submitted,

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